REMARKS

Reconsideration of this application, as amended, is respectfully requested. The independent claims have been amended to clarify that the keys or personalization data is specific to one or more, but not all, receivers of the interactive TV content. Support for these amendments may be found in the specification as filed, for example at paragraph 38.

As amended the claims are patentable over Wistendahl et al. (U.S. Patent No. 6,496,981), which discusses a system for allowing media content to be used in interactive media programs (col. 2, ll. 35-39). In particular, Wistendahl describes a mechanism to convert media content for interactive TV use without locking it in to any particular delivery system or display platform (see, e.g., col. 2, ll. 39-43). That is, objects are tagged to make them interactive without embedding any proprietary or platform-dependent codes in the media content (see Wistendahl at col. 6, ll. 53-57).

In contrast, the present claims recite tagging with keys or personalization data is specific to one or more receivers of the interactive TV content. The SMPTE time codes described by Wistendahl are used for time-addressing of frames and are not specific to any receivers. Instead, the codes are global for all receivers receiving the broadcast. Hence, the present claims are not anticipated by Wistendahl.[1] See, e.g., *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987) ("A claim is

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[1] The Ofice Action also cites Fig. 2, col. 2, ll. 35-65 & col. 6, ll 17-38 for the proposition that "tagging interactive content with ... personalization data" and "receivers ... output or make use of selectively the interactive content based on ... personalization data" is taught by Wistendahl. (Office Action Page 2 Paragraph 2). This conclusion is, however, flawed. At col. 2, ll. 35-65, Wistendahl describes how existing media content can be used in interactive media programs without locking it in to any particular delivery system or display platform. Indices of the frames and objects on the frames where interactive content is to be presented are located and this information is stored as object mapping data. Thereafter, when the particular frame is presented, the respective object is rendered interactive. Then, at col. 6, ll. 17-38, Wistendahl indicates that a user can interact with the created hot-spot. These passages do not describe the presently claimed personalization data in any way.

At best, the above-cited passages from Wistendahl describe the benefit of using global tags for interactive content, not personalized tags. Indeed, Wistendahl goes to great lenghts to make the point that original media content can be rendered interactive without embedding special codes in the original media, i.e., without being personalized for different viewers.

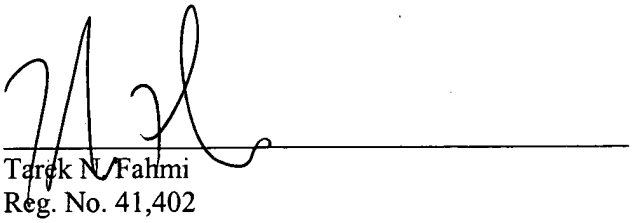
The Office Action also cites col. 17, ll. 29-42 of Wistendahl, for the proposition that "as soon as the user clicks or selects Select and Enter keys in their remote control, the user's segment of portion of tagged content regarding as personalization data because of his/personal choice of interest contents, in this example for an interactive game sequence, then the requested and tagged (or bookmarked) content will be storing and retrieving for later use" [sic] (Office Action Page 7). Book marking, however, simply allows a user to store a hot spot object for later review. While the bookmark may be personal, the interactive content represented by the bookmark is not personal.

anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

If there are any additional fees due in connection with this communication, please charge our deposit account no. 19-3140.

Respectfully submitted,

SONNENSCHEIN NATH & ROSENTHAL LLP



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